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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,709	06/04/2001	Lanny Gilbert	36968/248468	6728

36192 7590 06/18/2004

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EXAMINER

NGUYEN, TOAN D

ART UNIT	PAPER NUMBER
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2665

13

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,709

Applicant(s)

GILBERT, LANNY

Examiner

Toan D Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 19-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US 6,275,575) in view of Cox et al. (US 6,456,709) further in view of Sun et al. (US 6,501,740).

For claim 1, Wu discloses method and system for coordinating and initiating cross-platform telephone conferences, said system comprising:

a call control engine (figure 1, reference 102) for receiving a future audio conference request from the host party (col. 5 lines 25-29 and col. 5 lines 45-53);

a conference call database (figure 1, reference 103) having a plurality of entries, wherein the future audio conference request is stored in one of entries (col. 5 lines 26-29);

a call facility (figure 1, reference 106) for making audio connections, according to the future audio conference request, to the host party and at least one participant (col. 5 line 64 to col. 6 line 6).

However, Wu does not disclose said call facility first attempting an audio connection to the host party and making an audio connection to the at least one participant after the host party has answer the audio connection. In an analogous art, Cox et al. disclose said call facility ((figure 1, reference 120b) first attempting an audio connection to the host party (figure 1, reference 106)

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(col. 13 lines 26-30) and making an audio connection to the at least one participant after the host party has answer the audio connection (col. 13 lines 31-35).

One skilled in the art would have recognized said call facility first attempting an audio connection to the host party and making an audio connection to the at least one participant after the host party has answer the audio connection to use the teachings of Cox et al. in the system of Wu. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use the call facility first attempting an audio connection to the host party and making an audio connection to the at least one participant after the host party has answer the audio connection as taught by Cox et al. in Wu's system with the motivation being to take control over the customer's call (col. 13 line 24).

However, Wu in view of Cox et al. does not disclose a call bridging facility for bridging the audio connections between the host party and at least one participant. In an analogous art, Sun et al. disclose a call bridging facility for bridging the audio connections between the host party and at least one participant (figure 3, col. 3 lines 11-12).

One skilled in the art would have recognized a call bridging facility to use the teachings of Sun et al. in the system of Wu. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use the call bridging facility as taught by Sun et al. in Wu's system with the motivation being to accept and/ or establish calls for a named teleconference for a predetermined list of participants, each of whom would be authenticated by submitting a prearranged password using DTMF signals upon a recorded audio prompt from the bridge (col. 3 lines 12-18).

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For claim 2, Wu discloses further comprising a timer facility for setting a timer for the future audio conference request (figure 4A, col. 8 lines 30-31).

For claim 3, Wu discloses wherein the future audio conference request includes a future meeting time, a host destination, and at least one participant destination (figure 4A-C, col. 8 line 24 to col. 9 line 29).

For claim 4, Wu discloses wherein the host destination is a telephone number (figure 3, col. 8 lines 7- 9).

For claim 5, Wu discloses wherein the at least one participant party destination is a telephone number (figure 4A, col. 8 lines 7-14 and col. 8 line 63 to col. 9 line 11).

For claim 6, Wu discloses wherein the audio connections are made through a public switched telephone network (figure 1, col. 5 lines 12-13).

For claim 7, Wu discloses wherein the host destination is an e-mail address (figure 4B, col. 9 lines 12-17).

For claim 8, Wu discloses wherein the at least one participant party destination is an e-mail address (figure 4A, col. 8 lines 28-31 and col. 8 line 63 to col. 9 line 11).

For claim 11, Wu discloses wherein the audio connections are made through the Internet (figure 1, col. 7 lines 5-8).

3. Claims 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US 6,275,575) in view of Sun et al. (US 6,501,740).

For claims 19 and 20, Wu discloses method and system for coordinating and initiating cross-platform telephone conferences, the method comprising:

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receiving a future audio conference call request from the host party (col. 5 lines 45-53), wherein the future audio conference request includes

- a future meeting time (col. 8 lines 28-31);
- a host party destination (col. 8 lines 24-31 and col. 8 lines 63-65), and
- at least one participant party destination (col. 8 lines 38-62);

storing the future audio conference call request in a database entry (col. 5 lines 45-53);
retrieving the database entry at the future meeting time (figure 4A, col. 8 lines 41-62);
attempting to connect the host party destination at the future meeting time (figure 4A-C, col. 8 lines 38-49, col. 8 lines 63-65 and col. 9 lines 26-29);

connecting the at least one participant party destination if the host party destination establishes a connection (figure 4A, col. 8 lines 4-14 and col. 9 lines 26-29).

However, Wu does not disclose bridging the host party destination to the at least one participant party destination. In an analogous art, Sun et al. disclose bridging the host party destination to the at least one participant party destination (figure 3, col. 3 lines 11-12). Sun et al. disclose further wherein bridging the host party destination to the at least one participant party destination is accomplished on a telephone switch (figure 3, col. 3 lines 10-12 as set forth in claim 20).

One skilled in the art would have recognized a call bridging facility to use the teachings of Sun et al. in the system of Wu. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use the call bridging facility as taught by Sun et al. in Wu's system with the motivation being to accept and/ or establish calls for a named teleconference for a predetermined list of participants, each of whom would be authenticated by

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submitting a prearranged password using DTMF signals upon a recorded audio prompt from the bridge (col. 3 lines 12-18).

For claim 21, Wu discloses wherein connecting the host party destination is accomplished through the Internet (figure 1, col. 7 lines 5-8).

For claim 22, Wu discloses further comprising
setting a timer (figure 4A, col. 8 lines 28-31), and
associating the timer to the database entry (col. 8 lines 38-59).

For claim 23, Wu discloses method and system for coordinating and initiating cross-platform telephone conferences, the computer program for use in:

receiving a future audio conference call request from the host party (col. 5 lines 45-53),
wherein the future audio conference request includes

a future meeting time (col. 8 lines 28-31)
a host party destination (col. 8 lines 24-31 and col. 8 lines 63-65),
at least one participant party destination (col. 8 lines 38-62);
storing the future audio conference call request in a database entry (col. 5 lines 45-53);
retrieving the database entry at about the future meeting time (figure 4A, col. 8 lines 41-62);

attempting to connect the host party destination (figure 4A-C, col. 8 lines 38-49, col. 8 lines 63-65 and col. 9 lines 26-29);

connecting the at least one participant party destination if the host party destination establishes a connection (figure 4A, col. 8 lines 4-14 and col. 9 lines 26-29).

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However, Wu does not disclose bridging the host party destination to the at least one participant party destination. In an analogous art, Sun et al. disclose bridging the host party destination to the at least one participant party destination (figure 3, col. 3 lines 11-12).

One skilled in the art would have recognized a call bridging facility to use the teachings of Sun et al. in the system of Wu. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use the call bridging facility as taught by Sun et al. in Wu's system with the motivation being to accept and/ or establish calls for a named teleconference for a predetermined list of participants, each of whom would be authenticated by submitting a prearranged password using DTMF signals upon a recorded audio prompt from the bridge (col. 3 lines 12-18).

For claim 24, Wu discloses wherein the program is for further use in:

setting a timer (figure 4A, col. 8 lines 28-31), and

associating the timer to the database entry (col. 8 lines 38-59).

4. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (U.S. Patent 6,275,575 B1) in view of Cox et al. (US 6,456,709) and Sun et al. (U.S. Patent 6,501,740 B1) further in view of Doganata et al. (U.S. Patent 6,282,278 B1).

For claims 9 and 10, Wu in view of Cox et al. and Sun et al. do not disclose wherein the host destination is an Internet Protocol address. In an analogous art, Doganata et al. disclose wherein the host destination is an Internet Protocol address (col. 4 line 65 to col. 5 line 7). Doganata et al. disclose further wherein the at least one participant party destination is an Internet Protocol address (col. 5 lines 9-14 as set forth in claim 10).

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One skilled in the art would have recognized an Internet Protocol address to use the teachings of Doganata et al. in the system of Wu. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use the Internet Protocol address as taught by Doganata et al. in Wu's system with the motivation being to provide the Audio Control Manager to maintain a connection configuration for every conference service provider (col. 4 lines 65-67).

Response to Arguments

5. Applicant's arguments filed March 30, 2004 have been fully considered but they are not persuasive.

The applicant argues with respect to claims 19-24, that claims 19-24 include features similar to those discussed with reference to claim 1. The examiner disagrees. The applicant amended in claim 1 line 8 "said call facility first attempting an audio connection to the host party and making an audio connection to the at least one participant after the host party has answer the audio connection" which the claim feature is rejected by Cox et al.

However, the applicant amended in claim 19 lines 10-13:

"attempting to connect the host party destination at the future meeting time;

connecting the at least one participant party destination if the host party destination establishes a connection", and in claim 23 lines 11-13;

"attempting to connect the host party destination at the future meeting time;

connecting the at least one participant party destination if the host party destination establishes a connection".

Theses amended claims 19 and 23 are not similar features limitation with reference to claim 1.

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Furthermore, the examiner retained the rejection of claims 19 and 23 based on Wu and Sun et al. references. Applicant's attention is directed to Wu patent at col. 8 lines 38-49 where Wu clearly discloses "Graphical user interface screen 400 facilitates coordinator input of conference information (i.e., conference title, conference scheduling information, participant identifiers and participant contact information)" and at col. 9 lines 26 "graphical user interface screen 454 illustrates a representative interface that could be used by a coordinator to transfer information from the coordinator's network files to the conference setup applications as attempting to connect the host party destination at the future meeting time and connecting the at least one participant party destination if the host party destination establishes a connection means in claims 19 and 23.

Conclusion

6. Applicant's amendment on March 20, 2004 necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D Nguyen whose telephone number is 703-305-0140. The examiner can normally be reached on Monday- Friday (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Huy Vu can be reached on 703-308-6602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

TN
TN


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